

REMARKS

Claims 1-11 are pending in the application. Claims 1, 2, 4, 7, 8, and 10 have been amended, claims 5 and 6 have been canceled, and claims 12 and 13 have been added, leaving claims 1-4 and 7-13 for consideration upon entry of the proposed amendment. Applicants respectfully request reconsideration in view of the Amendment and remarks submitted herewith.

Claims 5 and 6 have been canceled since they were identical to claims 3 and 4, respectively.

The Examiner has objected to the term hydrogen as an inert gas. Applicants have revised the claims to address this objection.

Claims 1-11 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Yamazaki (US 5,313,076). "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Moreover, "[t]he identical invention must be shown in as complete detail as is contained in the * * * claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Claims 1-4 include the following limitation: "the laser annealing is performed under a low degree vacuum atmosphere with a pressure equal to or higher than about 1.3 Pa." Claims 7-10 include the following limitation: "creating a low degree vacuum atmosphere within said annealing chamber, the low degree vacuum atmosphere has a pressure equal to or higher than about 1.3 Pa." Claim 11 includes the following limitation: "a pressure controller for controlling the pressure in said annealing chamber to maintain a pressure between about 1.3×10^3 Pa and about 1.3 Pa." None of the references teach or suggest those limitations.

The Examiner asserts that Yamazaki teaches a method in which the annealing is performed under a pressure between about 1.3×10^3 Pa and 1.3 Pa, and specifically stated that as 1.3 pascal is equivalent to 9.75×10^{-3} Torr, Yamazaki teaches an operating pressure range of 5.0×10^{-2} Torr to about 1.0×10^{-4} Torr.

However, the pressure condition of 5.0×10^{-2} Torr as described at column 13, line 65 in Yamazaki is not a pressure condition to be created in a chamber when a polycrystalline semiconductor layer is formed through the step of laser annealing an amorphous semiconductor

layer, but only a condition for "film deposition" as can be seen from the description in the same column 13, lines 63-67. Because the definitions of the pressure conditions as used for film deposition and for annealing are fundamentally different, comparing these conditions is inappropriate.

In addition, Yamazaki describes that following the etching of the resulting amorphous silicon film, the film is subjected to laser annealing under the pressure condition of 10^{-5} Torr, which is described in column 10, lines 67-68. Thus, as is apparent from the description in Yamazaki, the pressure condition of 10^{-5} Torr significantly differs from "the low degree vacuum atmosphere" with a pressure equal to or higher than about 1.3 Pa (about 10^{-2} Torr) as defined in claims 1 and 5 of the present application.

Yamazaki includes no description of performing the laser annealing for polycrystallization in a low degree vacuum atmosphere. Moreover, Yamazaki does not include a description of the significance of performing the laser annealing for polycrystallization in a low degree vacuum atmosphere.

Accordingly, Yamazaki does not anticipate claims 1-11. Applicants respectfully request that the rejection be withdrawn.

In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicants' attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicants' attorney hereby authorizes that such fee be charged to Deposit Account No. 06-1130.

Respectfully submitted,

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January 9, 2004